

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED *for Rite*

MAR 26 2014

JULIA C. DUDLEY, CLERK  
BY: *H. McDermott*  
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EARL MATTHEW BOATRIGHT,  
Plaintiff,

v.

VA. DEPT. OF CORR.,  
Defendant(s).

Civil Action No. 7:14-cv-00051

MEMORANDUM OPINION

By: Jackson L. Kiser  
Senior United States District Judge

Earl Matthew Boatright, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By Order entered on February 5, 2014, the court directed plaintiff to return a statement of assets, and inmate account form, and a certified copy of plaintiff's trust fund account statement for the six-month period, immediately preceding the filing of the complaint, obtained from the appropriate prison official within 30 days from the date of the Order making the deadline March 7, 2014.

Plaintiff filed a motion for extension of time to submit the required documentation on February 24, 2014 and the court granted the motion giving plaintiff and additional 15 days from the date of the first Order dated February 5, 2014 to comply. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

The deadline has passed and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 26<sup>th</sup> day of March, 2014.

*Jackson L. Kiser*  
Senior United States District Judge